

Anthony Marotta

New Century Financial v.  
Anthony Marotta 11-1569 (SDW)

was involved in a breach of contract with American Laser in Manhattan N.Y. I borrowed approximately \$1,800 from Care Credit-GE Money to finance these medical services.

U.S. DISTRICT COURT  
2011 MAR 18 A 10:05

I did not pay the balance (approximately \$700) because there were no results at all from the medical services. After about two years of disputes GE Money-Care Credit stopped phoning and stopped billing me. Many people complained about American Laser yet GE Money Co. still lends money to people for services which very well may be rendered and fall under a breach of contract.

This bill was sold to several other collection agencies until Pressler & Pressler received it. Eventually, they entered a complaint in the County Court and my attorney at the time, Alexander T. Carola, 1505 Park Place, Springfield NJ, erroneously informed me not to answer (malpractice, legal). Pressler and Pressler sent an intimidating letter to me about a year ago stating that if I don't start making payments on this bill that they were going to seize all my property including a \$1,200 Nissan Sentra - 1996 and a Casio or Yamaha Keyboard-musical worth \$150. These are the only items I owned (aside from a guitar \$200) and I've been unemployed for approximately 10 years (Full time Gaintolly).

Under mental duress & economic duress I signed this agreement to pay \$30 a month for the next 10 years. I believe this to be usury \$3500 is what Pressler & Pressler is charging me for a bill of \$700 - of which services were never received for.

I would like to enter a motion to vacate a default judgment please. I was also served at the wrong address - 634 Stirling Pl, Westfield NJ when for the past 10 years I've been residing at 55B Sandra Circle, Westfield NJ 07090. My income is SSI \$872<sup>00</sup> month and Food stamps \$147<sup>00</sup> month.

and am a full time student - Union County college. My total expenses for the month usually exceed this and I have great difficulty, at times, reserving enough money for food and other necessities. I think it is unconscionable for Pressler and Pressler to do this under these circumstances.

I feel there may have been an error in law in that I was improperly served at an address for which there is no longer a house (knocked-down) and for which I was not residing, and for other exculpatory evidence which I may be unaware (I'm not an attorney nor a paralegal). I've been unable to obtain adequate representation throughout this legal matter. I can not afford an attorney and legal aid informs me that they will not represent me because they claim I am judgment proof.

Also, as concerns the Entire Controversy Doctrine, I was undergoing a great deal of duress with other legal matters (identity theft, forged check, assault & battery, expulsion from school for something I was found never to have done at both Hearn University and at Union County College) at the time I signed this agreement with Pressler & Pressler. I am also cognitively disabled. I will provide documents upon request.

Thank you for taking the time and effort to hear this plea for a motion to vacate a default judgment that Pressler & Pressler obtained because I foolishly listened to my attorney and did not answer a complaint that is based on Medical Malpractice.

If I can be of further assistance please contact me at the above address.

Sincerely

Anthony Marotta

U.S. DISTRICT COURT  
2011 MAR 18 A 10:05

**FORM A**  
**NOTICE OF MOTION**

*New Century*  
*Financial*

Pressler & Pressler LLP  
Plaintiff's Name  
7 EATON Road  
Address  
Parsippany, NJ, 07054-5020  
City, State and Zip Code  
Telephone No.: 973-753-5100

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, SPECIAL CIVIL PART  
\_\_\_\_\_  
COUNTY

DOCKET NO.: DC01486407

**CIVIL ACTION**

**NOTICE OF MOTION**

\_\_\_\_ I DO NOT request Oral Argument  
\_\_\_\_ I request Oral Argument

If you requested Oral Argument do you wish to request:

An interpreter: \_\_\_\_ Yes ☒ No  
Indicate Language:

An accommodation for a disability: ☒ Yes \_\_\_\_ No

Requested accommodation: *learning disabled*

PLEASE TAKE NOTICE that I will apply to the Superior Court of New Jersey, Law Division, Special Civil Part  
2 Broad Street, UNION County located at 2 Broad Street  
(Courthouse Address)

NJ, \_\_\_\_\_ in the above entitled matter or an Order to:  
(Zip code)

\_\_\_\_ Permit Discovery  
\_\_\_\_ Vacate Dismissal/Reinstate  
\_\_\_\_ Amend Complaint/Amend Answer  
\_\_\_\_ Other (Specify)

\_\_\_\_ Amend Judgment  
\_\_\_\_ Enter Judgment out of Time  
☒ Vacate Default/Vacate Default Judgment  
(must include answer, any cross-claims or counterclaims and the applicable fee; see step 6 on page 5)

**NOTICE: IF YOU WANT TO RESPOND TO THIS MOTION YOU MUST DO SO IN WRITING.** Your written response must be in the form of a certification or affidavit. That means that the person signing it swears to the truth of the statements in the certification or affidavit and is aware that the court can punish him or her if the statements are knowingly false. You may ask for oral argument, which means you can ask to appear before the court to explain your position. If the court grants oral argument, you will be notified of the time, date and place. Your response, if any, must be in writing even if you request oral argument. Any papers you send to the court must also be sent to the opposing party's attorney, or the opposing party if not represented by an attorney.

If you do not notify the Clerk and the undersigned in writing within ten (10) days of service of the motion that you object to the entry of the order sought, the court, in its discretion, may enter the order against you without a hearing.

DATE: 12/23/10

SIGNATURE: Anthony Marotta  
(Check One) \_\_\_\_ Plaintiff ☒ Defendant

(Continued on next page)

FORM A  
(Second page)

CERTIFICATION OF SERVICE

I certify that I served a copy of this motion (check one) \_\_\_\_\_ personally on the person(s) or attorney(s) listed below X by mailing it to the person(s) or attorney(s) listed below by regular and certified mail. I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Pressler & Pressler LLC  
(Name)

7010 3090 0001 0412 3315  
(Certified Mail Number)

7 Entin Road,  
(Address)

Parsippany, NJ, 07054-5020  
(City, State & Zip Code)

Anthony Marotta  
(Name)

\_\_\_\_\_  
(Certified Mail Number)

55B Sandra Circle, #20  
(Address)

Westfield, NJ, 07091  
(City, State & Zip Code)

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Certified Mail Number)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(City, State & Zip Code)

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Certified Mail Number)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(City, State & Zip Code)

DATE: 12/23/10

SIGNATURE: Anthony Marotta  
(Type or Print Name): Anthony Marotta  
(Check One) \_\_\_\_\_ Plaintiff X Defendant

**FORM B**  
**CERTIFICATION IN SUPPORT OF A MOTION**

Pressler & Pressler LLC  
 Plaintiff's Name  
24 E. 10th Road,  
 Address  
Princeton, NJ, 07054-5020  
 City, State and Zip Code  
 Telephone No.: 973-753-5100

SUPERIOR COURT OF NEW JERSEY  
 LAW DIVISION, SPECIAL CIVIL PART  
 UNION COUNTY  
 DOCKET NO. DC 001273-08

**CIVIL ACTION**

vs.

**CERTIFICATION IN SUPPORT OF A MOTION TO**

Anthony Marotta  
 Defendant's Name  
55 B Sandra Circle, #2  
 Address  
Westfield, NJ, 07090  
 City, State and Zip Code  
 Telephone No.: 908 518-0876

<input type="checkbox"/> Permit Discovery	<input type="checkbox"/> Amend Judgment
<input type="checkbox"/> Vacate Dismissal/ Reinstatement	<input type="checkbox"/> Enter Judgment Out of Time
<input type="checkbox"/> Complaint	<input checked="" type="checkbox"/> Vacate Default/ Vacate Default Judgment
<input type="checkbox"/> Amend Complaint	
<input type="checkbox"/> Amend Answer	
<input type="checkbox"/> Other (Specify) _____	

Anthony Marotta, of full age, being the (check one) ☐ Plaintiff ☒ Defendant in the above case, states:  
 (Your Name)

*Improperly served. Served to the wrong address*

(You may attach more sheets if you need to, but you must copy the certification language below onto any additional sheets you use, and you must sign and date each additional sheet.)

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

DATE: 12/23/10

SIGNATURE: Anthony Marotta  
 (Type or Print Name): Anthony Marotta  
 (Check One) ☐ Plaintiff ☒ Defendant

FORM C  
ORDER

Presser & Presser  
 Plaintiff's Name  
7 ENTIN Road  
 Address  
Parsippany, NJ, 07054-5020  
 City, State and Zip Code  
 Telephone No.: 973-753-5100

SUPERIOR COURT OF NEW JERSEY  
 LAW DIVISION, SPECIAL CIVIL PART  
 UNION COUNTY  
 DOCKET NO. DC 001273-08

v.

Anthony Marotta  
 Defendant's Name  
5513 Sandra Circle, #2  
 Address  
Westfield, NJ, 07090  
 City, State and Zip Code  
 Telephone No.: 908 578-0876

CIVIL ACTION  
ORDER

This matter being opened to the court by Anthony Marotta the (check one) Plaintiff  
☒ Defendant in the matter by way of (Your name)  
 motion seeking an order to:

<input type="checkbox"/> Permit Discovery	<input type="checkbox"/> Amend Judgment
<input type="checkbox"/> Vacate Dismissal/	<input type="checkbox"/> Enter Judgment out
Reinstate Complaint	of Time
<input type="checkbox"/> Amend Complaint	<input checked="" type="checkbox"/> Vacate Default/Vacate
<input type="checkbox"/> Amend Answer	Default Judgment
<input type="checkbox"/> Other (Specify) _____	

and the court having considered the motion, pleadings on file and/or argument of the moving party and for good cause appearing;

**(Do not write below this line- for court use only)**

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_:

it is ORDERED that

It is FURTHER ORDERED that a copy of this Order be served by the moving party upon all other parties or their attorneys, if any, within \_\_\_\_\_ days of the date listed above.

The motion was:

☐ Opposed ☐ Unopposed

\_\_\_\_\_, J.S.C.



Superior Court Of New Jersey  
Law Division, Special Civil PartPressler & Pressler  
Plaintiff's Name7 Entin Road  
Street AddressParsippany, NJ, 07054-5020  
Town, State, Zip Code973-753-5100  
Telephone Number

Union \_\_\_\_\_ County \_\_\_\_\_

Docket No. DC 01436407vs.  
Anthony Marotta  
Defendant's Name55B Sandra Circle, 2  
Street AddressWestfield, NJ, 07090  
Town, State, Zip Code908 518-0876  
Telephone Number

## CIVIL ACTION

## Answer

Check the appropriate statement or statements below which set forth why you claim you do not owe money to the plaintiff.

- ☐ (1) The good or services were not received.  
☐ (2) The goods or services received were defective.  
☐ (3) The bill has been paid.  
☐ (4) I/We did not order the goods or services.  
☐ (5) The dollar amount claimed by the plaintiff(s) is incorrect.  
☐ (6) Other – Set forth any other reasons why you believe money is not owed to the plaintiff(s). (You may attach more sheets if you need to.)

Improperly served, ~~on~~ wrong address  
my address was not 634 Sterling Place, Westfield in  
2001 to the present  
☒ Trial by jury requested; an extra \$50 check or money order is enclosed.

At the trial Defendant requests:

An interpreter:

Yes ☒ No ☐An accommodation for a disability: Yes ☒ No ☐

Indicate Language:

Requested accommodation: learning disabled  
heart condition

I certify the matter in controversy is not the subject of any other court action or arbitration proceeding now pending or contemplated, and that no other parties should be joined in this action.

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b).

I further certify that this answer was served on all other parties within 35 days of the date the summons and complaint were mailed to me as indicated on page 2 of the summons.

Dated: 12/29/10Anthony Marotta  
Defendant's SignatureAnthony Marotta  
Defendant's Name – Type or Printed